

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

VICTIM ONE,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:22-cv-01051-AGF
)	
MEHLVILLE R-9 SCHOOL DISTRICT,)	
et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On August 29, 2023, at 2:00 p.m., the Court held a hearing on the Motion for Approval of Minor Settlement Agreement. Plaintiff and Next Friend appeared by counsel. Defendants appeared by counsel. In advance of the hearing, the Parties submitted under seal the proposed Settlement Agreement and Release of All Claims (the “Agreement”) and the Affidavit of Plaintiff’s Next Friend for the Court’s consideration.

In approving this Agreement and the settlement, this Court makes the following findings:

1. Plaintiff Victim One is a minor child, who resides with her Mother / Next Friend.
2. Victim One’s Next Friend has been duly appointed as the Next Friend of Plaintiff, and the Next Friend is authorized to prosecute this action on behalf of Plaintiff and to present the Motion for Approval of Minor Settlement Agreement to the Court.

3. Plaintiff alleges to have sustained physical injuries and other damages injuries arising out of or related to child sex offenses.

4. Plaintiff has asserted claims alleging that Defendants are responsible, in whole or in part, for injuries to her and resulting damages.

5. The Parties have agreed, subject to the approval of the Court, to enter into a settlement of all claims that Plaintiff has against Defendants on terms set forth in the proposed Agreement and incorporated herein.

6. Next Friend, having fully considered the circumstances of these claims, as well as the uncertainties, expenses, and delay the litigation of this matter may present, and with the advice of legal counsel, represents to the Court that she believes the Agreement reached with Defendants is fair and reasonable and in the best interest of the Minor Plaintiff.

7. Plaintiff, through her Next Friend, entered into an attorneys' fee contract with Grant Boyd and The O'Brien Law Firm. The attorneys' fee contract provides for payment from the settlement proceeds of attorneys' fees and expenses. The attorneys' fees and expenses amounts are set out in the Agreement. The Court is requested to approve payment of the attorneys' fee contract to the O'Brien Law Firm.

8. Plaintiff, by and through Next Friend, acknowledges that they have the right to a trial by judge or jury in this matter, at which time Plaintiff could receive more than the amount of this settlement, less than the amount of this settlement, or nothing at all, and that by settling these claims as outlined above, right to a trial by judge or jury has been waived.

9. Pursuant to Missouri law and Mo. Rev. Stat. § 507.184, the proposed Agreement entered into between Plaintiff and Defendant is just, fair, reasonable, and in the best interest of said minor.

10. The best interests of Plaintiff have been adequately protected.

Accordingly,


IT IS HEREBY ORDERED that the Motion for Approval of Minor Settlement Agreement is **GRANTED**. ECF No. 52. The Court approves the terms of the Agreement. The settlement proceeds shall be distributed consistent with the terms of the Agreement, including the payment of attorneys' fees and expenses, payment to the Next Friend for the exclusive benefit of the Minor Plaintiff, and for purposes of funding an annuity for the exclusive benefit of the Minor Plaintiff.

IT IS FURTHER ORDERED that the Parties shall comply with the terms of the Agreement. ECF No. 55.

IT IS FURTHER ORDERED that, in accordance with the Court's Orders granting Plaintiff's Consent Motions for Leave to File Document Under Seal and for Continued Sealing, ECF Nos. 58 and 64, documents now under seal shall remain under seal after the final disposition of this litigation.

IT IS FURTHER ORDERED that this case is **DISMISSED** with prejudice.

Dated this 30th day of August, 2023.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE